

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1429

AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-15-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. **(a) This section does not apply to a lien on a Medicaid recipient's real property under IC 12-15-8.5.**

(b) This section applies only to a lien on a recovery under section 1 or section 2 of this chapter.

(c) The office shall pay attorney's fees in the amount of one (1) of the following:

(1) ~~Seven and five-tenths~~ **Twenty-five percent (7.5%) (25%)** of the office's recovery under the lien if the claim was collected without initiating legal proceedings.

(2) ~~Ten~~ **Thirty-three and one-third percent (10%) (33 1/3%)** of the office's recovery under the lien if the claim was collected by initiating legal proceedings.

SECTION 2. IC 12-15-8.5-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. **(a) The office may contract with an attorney to obtain or enforce a lien under this chapter.**

(b) If the office contracts with an attorney under this section, the attorney's fees may not exceed:

(1) seven and five-tenths percent (7.5%) of the office's recovery under the lien if the proceeding to obtain and

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enforce the lien is not contested; or
(2) ten percent (10%) of the office's recovery under the lien if
the proceeding to obtain and enforce the lien is contested.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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HEA 1429 — Concur+

